



PATENT  
0508-1042-1

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Marc DREYFUS et al. Conf. 5205

Application No. 10/633,577 Group 1652

Filed August 5, 2003 Examiner C. Patterson

MUTANT E. COLI STRAINS, AND THEIR  
USE FOR PRODUCING RECOMBINANT POLYPEPTIDES

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT**

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 29, 2005

Sir:

CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE, owner of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as presently shortened by any Terminal Disclaimer, of prior Patent No. 6,632,639. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of the prior patent, as presently shortened by any Terminal Disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

The undersigned is an attorney of record.

Respectfully submitted,

YOUNG & THOMPSON



---

Roland E. Long, Jr., Reg. No. 41,949  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

REL/lk